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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hodgen et al.

Examiner: Webman, E

Serial No.: 08/462,703

Group Art Unit: 1617

Filed: June 5, 1995

For: ANTIPROGESTIN METHOD AND KIT FOR REDUCING SIDE EFFECTS ASSOCIATED WITH LOW DOSAGE HRT, ORAL CNTRACEPTION AND REGULATING MENSES

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But
7-12-02

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated March 5, 2002, Applicant's hereby elect with traverse, Group I.

The restriction requirement is respectfully submitted to be inappropriate. All claims of this application have been fully examined for many years, spanning several office actions. Accordingly, there is no undue burden in maintaining the already full examination.

In any event, it is clear from the prosecution of this application that interferences are both necessary and ripe between this application and U.S. Patents 5,622,943 and 5,468,736.

Toward this end, and in accordance with the understanding of the undersigned of the agreement reached in a recent discussion with the examiner, for purposes of satisfying the examiner's election of species requirement, applicants elect the species of claims 42 and 49.

Claim 42

This claim relates to a method of hormone replacement therapy involving administering of estrogen without progestin ("alone or in combination with "progestin") and administering of anti-progestin. This claim clearly conflicts with and should be the subject of an interference with US Patent 5,468,736. Other claims of this application also conflict with '736, e.g., claims 45 and 46

I hereby certify that this correspondence is being deposited with the U.S. Postal Services as First Class Mail in an envelope addressed to:
Assistant Commissioner For Patents,
Washington, D.C. 20231 on: 6/5/02
Name: A. J. Egan
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